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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 98.013 WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP99/05393	International filing date (day/month/year) 28 July 1999 (28.07.99)	Priority date (day/month/year) 10 October 1998 (10.10.98)
International Patent Classification (IPC) or national classification and IPC G01M 3/00,		
Applicant INFICON GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 19 April 2000 (19.04.00)	Date of completion of this report 23 June 2000 (23.06.2000)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP99/05393

## I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

- ☒ the international application as originally filed.
- ☒ the description, pages 1-10, as originally filed,  
 pages \_\_\_\_\_, filed with the demand,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the claims, Nos. 1-20, as originally filed,  
 Nos. \_\_\_\_\_, as amended under Article 19,  
 Nos. \_\_\_\_\_, filed with the demand,  
 Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the drawings, sheets/fig 1/2 - 2/2, as originally filed,  
 sheets/fig \_\_\_\_\_, filed with the demand,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-20	YES
	Claims		NO
Inventive step (IS)	Claims	1-20	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

## 2. Citations and explanations

**Novelty:** DE-A-196 42 099 describes a film leak detector with two frames in each of which a film is clamped. Each film is fixed in a groove in the frame.

The subject matter of independent Claim 1 differs from this known device in that each frame consists of two plastic subframes between which the respective film is clamped.

**Inventive step:** The design with the double frame simplifies not only the clamping of the film in the frame, but also enables a gas-tight connection between the film and frame to be formed.

**Industrial applicability:** The claimed film leak detector is industrially applicable as such.

Dependent Claims 2 to 20 relate to additional features of the device defined in Claim 1. These claims therefore also meet the requirements of PCT Article 33 with regard to novelty, inventive step and industrial applicability.

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

For the sake of clarity, the term "the frame (3)" in Claim 7, line 3 should be replaced by "the upper frame (3)".

In Claim 14, lines 4 and 5, the term "the line (19)" should be replaced by "a line (19)", since this line was not previously mentioned.

On page 8, lines 10 and 11, instead of the word "visitor", the word "user" was clearly intended here.